

**IN THE UNITED STATES BANKRUPTCY COURT  
Eastern District of Virginia  
Alexandria Division**

**In re: Bingtuan Yin and Xiangling Kong  
Debtors**

**Case No. 21-10653-KHK  
Chapter 7**

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**Trina Bengtsson**

**Plaintiff**

**v.**

**APN 21-01043-KHK**

**Bingtuan Yin  
Xiangling Kong**

**Defendants**

**NOTICE OF MOTION TO EXTEND DEADLINE TO FILE ANSWER OR RESPONSIVE  
PLEADING TO COMPLAINT**

The above named Defendants have filed papers with the court to extend the deadline to file an Answer or other responsive pleading to the Complaint filed by the Plaintiff.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to grant the above referenced Motion, then you or your attorney must file with seven (7) days:

File with the Court a written request for a hearing and an answer explaining your position at:

Clerk of Court  
United States Bankruptcy Court  
200 Washington Street  
Alexandria, VA 22314-5405

If you mail your response to the Court for filing, you must mail it to the address listed immediately above and early enough so that the Court will **receive** it within the

Barry W. Spear (VSB#39152)  
Veronica Brown-Moseley (VSB #87348)  
Boleman Law Firm, P.C.  
Convergence Center III  
272 Bendix Road, Suite 330  
Virginia Beach, VA 23452  
Telephone: (757) 313-3000  
Counsel for Defendants

time period stated above.

You must also send a copy to:

Boleman Law Firm, P.C.  
Convergence Center III  
272 Bendix Road, Suite 330  
Virginia Beach, VA 23452

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Dated: August 6, 2021

BOLEMAN LAW FIRM, P.C.  
Counsel for Defendants

By: /s/ Barry W. Spear  
Barry W. Spear (VSB#39152)  
Veronica Brown-Moseley (VSB #87348)  
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Virginia Beach, VA 23452  
Telephone: (757) 313-3000  
Counsel for Defendants

**CERTIFICATE OF SERVICE**

I certify that on August 6, 2021, I have transmitted a true copy of the foregoing document electronically through the Court's CM/ECF system or by mail to the Defendants, Andrea C. Davison, Esquire, counsel for the Plaintiff, the Chapter 7 Trustee, and the United States Trustee if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1.

/s/ Barry W. Spear  
Counsel for Defendants

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**APN 21-01043-KHK**

**Bingtuan Yin  
Xiangling Kong**

**Defendants**

**MOTION TO EXTEND DEADLINE TO FILE ANSWER OR RESPONSIVE PLEADING  
TO COMPLAINT**

COMES NOW, Bingtuan Yin and Xiangling Kong (the “Defendants”), by counsel, and hereby request, pursuant to Rule 9006(b) of the Federal Rules of Bankruptcy Procedure, that the Court extend the deadline for the Defendants to File an Answer or other Responsive Pleading to the Complaint filed by the Plaintiff, and in support thereof, affirmatively state as follows:

1. On April 15, 2021, the Defendants filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code. Donald F. King (the “Trustee”) was appointed Trustee and continues to serve as Trustee in this case.
2. On July 9, 2021, Trina Bengtsson (“Plaintiff”) filed a Complaint objecting to the discharge of debt owed to her by the Defendants pursuant to 11

U.S.C. § 523(a)(6).

3. The Complaint was served upon each of the respective Defendants on July 9, 2021 and the deadline to file an answer or responsive pleading is August 9, 2021.
4. Pursuant to Bankruptcy Rule of Procedure 9006(b), this Motion is timely filed.
5. The Complaint seeks to have the Defendants' debt owed to the Plaintiff to be declared non-dischargeable pursuant to 11 U.S.C. § 523(a)(6).
6. Counsel for the Defendants was not retained in this matter until August 5, 2021.
7. The Pre-Trial conference in this matter is scheduled for December 7, 2021.
8. Given the complexity of this matter, the recent retention of counsel, the fact that the Defendants are not fluent in English, and the added difficulties of consulting with clients due to COVID-19, cause exists to extend the deadline for the Defendants to file an answer or other responsive pleading to the Complaint.
9. The Defendants seek an extension to file a responsive pleading no later than thirty (30) days from today on September 5, 2021.
10. Defendants' counsel has been in touch with Plaintiff's counsel and under all the circumstances the Plaintiff does not oppose the request for a 30-day extension of the deadline.

WHEREFORE, the Defendants respectfully request this Honorable Court to enter an order extending the deadline to file an answer or other responsive pleading for a period of thirty (30) days until September 5, 2021, and for such other and further relief as to the Court deems appropriate.

**Bingtuan Yin  
Xiangling Kong**

/s/ Barry W. Spear  
Barry W. Spear (VSB#39152)  
Veronica Brown-Moseley (VSB #87348)  
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/s/ Barry W. Spear  
Counsel for Defendants